

Scott County Board of Supervisors  
August 4, 2022 5:00 p.m.

The Board of Supervisors met pursuant to adjournment with Beck, Croken, Kinzer, Knobbe and Maxwell present. The Board recited the Pledge of Allegiance.

Moved by Maxwell, seconded by Knobbe a motion approving the minutes of the July 19, 2022 Committee of the Whole and the minutes of the July 21, 2022 Regular Board Meeting. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe that the following fifteen consent agenda items be approved. Roll Call: All Ayes.

BE IT RESOLVED: 1) That the contract for HMA Maintenance Patching Project be awarded to Valley Construction Company contingent on the submitted unit prices. 2) That the County Engineer be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately. (191-2022)

BE IT RESOLVED: 1) That the request from the New Liberty Volunteer Fire Department to close 10th Avenue from 290th Street south to the north corporate limit of the City of New Liberty on August 27, 2022, from 9:00 a.m. to 11:00 p.m. be approved. 2) That this resolution shall take effect immediately. (192-2022)

BE IT RESOLVED: 1) That the contract for Intersections Improvement Project CST-061-5(149)--4C-82 be awarded to Hawkeye Paving Corporation contingent on the unit prices listed in the contract. 2) That the Chairperson be authorized to sign the contract documents on behalf of the Board. 3) That this resolution shall take effect immediately. (193-2022)

THEREFORE BE IT RESOLVED: By the Board of Supervisors of Scott County that this County does hereby request to be included in the statewide SS4A grant to develop Action Plans for all 99 counties in Iowa. (194-2022)

BE IT RESOLVED: 1) The hiring of Justin Stites for the position of Senior Victim & Witness Specialist with the County Attorney's office at entry level rate. (195-2022)

BE IT RESOLVED: 1) That the proposal of the purchase of COVID-19 advertising on cable, internet, and streamlining services be approved with OnMedia in the amount of \$27,840. 2) This resolution shall take effect immediately. (196-2022)

BE IT RESOLVED: 1) That the second amended 28E agreement between Scott County, Cedar County, Clinton County, Jackson County, and Muscatine County has included the language for pooling of funds, clarifies who can serve as a Governing Board member, clarifies the management of regional finances, and adds various code sections for references. 2) And that the changes in the second amended 28E Agreement are hereby accepted and approved. 3) This resolution shall take effect immediately. (197-2022)

BE IT RESOLVED: 1) All 2022 Homestead Property Tax Credit and Military Property Tax Exemption Applications as recommended for allowance by the Davenport City Assessor and Scott County Assessor and as filed in the respective Assessor's Offices are hereby approved. 2) The four 2022 Homestead Property Tax Credit, one Military Exemption and one Disabled Military applications recommended for disallowance by the Davenport City Assessor are hereby disallowed. 3) This resolution shall take effect immediately. (198-2022)

BE IT RESOLVED: 1) That the Board hereby approves application for a grant from the Department of Justice (JAG) Program in the Sheriff's Office to support the Scott County Special Operations Unit. 2) That, if accepted, the Board approves receipt of such funding. 3) That the Chair is approved to sign such application. 4) This resolution shall take effect immediately. (199-2022)

BE IT RESOLVED: 1) General Policy 30 "Grant and Funding Assistance" updated to comply with updated language required for the processing of purchases being made under grants. 2) This resolution shall take effect immediately. (200-2022)

BE IT RESOLVED: 1) The County qualifies as a low-risk auditee, has appropriate controls in place to monitor grant compliance and annually setting a threshold between \$10,000 and \$50,000 is permissible by Federal Uniform Procedures. 2) The County Director of Budget and Administrative Services is hereby directed to establish the fiscal year 2023 Micro-Purchase procurement method at \$15,000. 3) This resolution shall take effect immediately. (201-2022)

BE IT RESOLVED: 1) That Scott County is accepting the "Iowa Opioid Allocation – Memorandum of Understanding". The County Auditor and Director of Budget are authorized to enter into the agreement and act as the authorized representatives for the County. 2) The Director of Budget is directed to create a special revenue fund and track corresponding revenues and expenditures that comply with the memorandum of understanding. 3) This resolution shall take effect immediately. (202-2022)

BE IT RESOLVED: 1) The Scott County Board supports the grant application being submitted to the Enhance Iowa CAT (Community Attraction and Tourism) by the Friends of MLK. 2) The County Board agrees to participate via \$20,000 in FY 2023, upon successful grant application to the state. 3) This resolution shall take effect immediately. (203-2022)

BE IT RESOLVED: 1) The Scott County Board of Supervisors approves for payment all warrants numbered 318945 through 319237 as submitted and prepared for payment by the County Auditor, in the total amount of \$1,638,377.65. 2) The Board of Supervisors approves for payment to Wells Fargo Bank all purchase card program transactions as submitted to the County Auditor for review in the amount of \$121,278.79. 3) This resolution shall take effect immediately. (204-2022)

A motion approving a beer/liquor license renewal for Kwik Star #1071, 13888 118th Avenue, Davenport.

Moved by Knobbe, seconded by Maxwell the third and final reading of an ordinance to amend Chapter 6, Section 6-29, D (7) & G of the Scott County Code relative to Lighting. Roll Call: All Ayes.

AN ORDINANCE TO AMEND A PORTION OF SECTION 6-29 SITE PLAN REVIEW REGULATIONS OF THE ZONING ORDINANCE FOR UNINCORPORATED SCOTT COUNTY.

BE IT ENACTED BY THE BOARD OF SUPERVISORS OF SCOTT COUNTY IOWA:

Section 1. Amend Section 6-29 SITE PLAN REVIEW REGULATIONS of the Zoning Ordinance for Unincorporated Scott County by adding:

Section 6-29(D)(7) All lighting shall be provided in accordance with the provisions of Section 6-29(G) of this Code.

Section 6-29(G) Lighting. All lighting shall be provided in accordance with the following provisions:

- (1) Lighting Plan: All proposed lighting is required to be shown on a lighting plan. The plan shall show all light poles, lights mounted on buildings, small bollard or monument lights and all other lighting to be installed on the property. Information to be included on the plan or as an attachment with the plan:
  - a. Details on the pole, luminaire, and foundation details including pole height, height of building-mounted lights, mounting height, and height of the luminaire.
  - b. Specifications for luminaires and lamp types, and poles, including photographs or drawings of proposed light fixtures.
  - c. Elevations of the site including all structures and luminaires sufficient to determine the total cut-off angle of all luminaires and their relationship to abutting parcels may be required.
  - d. A Photometric plan that shows the foot-candle measurement at all lot lines.
- (2) Maximum Brightness.
  - a. The maximum allowable foot-candle at any lot line is one foot-candle.
  - b. When additional security lighting is required for security reasons in excess of the foot-candle limit imposed by item 1 above, additional lighting may be allowed based on evidence for the need for additional security through site plan review.
  - c. No glare onto adjacent properties is permitted.
- (3) Luminaire with Cut-Off Standards.

- a. To be considered a cut-off luminaire, the cut-off angle must be 75° or less.
  - b. The maximum total height of a cut-off luminaire, either freestanding or attached to a structure, is 40 feet in the “C-2” and “I” Districts and 35 feet in all other districts.
  - c. A cut-off luminaire must be designed to completely shield the light source from an observer 3.5 feet above the ground at any point along an abutting lot line.
- (4) Luminaire with No Cut-Off Standards. Decorative and/or architectural lighting with no cut-off is allowed and subject to the following standards:
- a. A luminaire is considered to have no cut-off if it is unshielded or has cut off angle greater than 75°.
  - b. The maximum permitted total height of a luminaire with no cut-off is 15 feet.
- (5) Exceptions to Lighting Standards.
- a. Up-lighting of buildings is allowed but all light must be directed onto the facade of the structure and cannot glare onto other properties.
  - b. Because of their unique requirements for nighttime visibility and limited hours of operation, outdoor recreational facilities (public or private) such as, but not limited to, football fields, soccer fields, baseball fields, softball fields, tennis courts, golf driving ranges, show areas, and other similar uses are exempt from the requirements of this section. Recreational facilities are permitted a total luminaire height of 65 feet in any district. Luminaires greater than 65 feet in total height may only be approved by special use permit.
  - c. Temporary uses.
  - d. Holiday and seasonal lighting is not subject to the requirements of this section.
- (6) Prohibited Lighting.
- a. Flickering or flashing lights are prohibited.
  - b. Searchlights, laser source lights, or any similar high intensity lights are prohibited.
  - c. Neon or LED lighting to outline doors, windows, architectural features, and building facades is prohibited.

Section 2. The County Auditor is directed to record this ordinance in the County Recorder's Office.

Section 3. Severability Clause. If any of the provisions of this Ordinance are for any reason illegal or void, then the lawful provisions of the Ordinance, which are separate from said unlawful provisions shall be and remain in full force and effect, the same as if the Ordinance contained no illegal or void provisions.

Section 4. Repealer. All ordinances or part of ordinances in conflict with the provisions of the Ordinance are hereby repealed.

Section 5. Effective Date. This Ordinance shall be in full force and effect after its final passage and publication as by law provided.

Moved by Knobbe, seconded by Maxwell a motion to approve the TIF letter to the City of LeClaire on a proposed URA and TIF financing plan. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe a motion to suspend the rules to waive the second and third readings of an ordinance to amend Chapter 37 of the Scott County Code to adopt and amend Amendment to Precinct Ordinance Section 37-2.E. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe a motion to waive the second and third readings of an ordinance to amend Chapter 37 of the Scott County Code to adopt and amend Precinct Ordinance Section 37-2.E. Roll Call: All Ayes.

Moved by Maxwell, seconded by Knobbe the first and final reading of an ordinance to amend Chapter 37 of the Scott County Code to adopt and amend Precinct Ordinance Section 37-2.E. Roll Call: All Ayes.

An Ordinance to Amend Chapter 37 – Election Precincts, of the Code of Scott County.

Be it enacted by the Board of Supervisors of Scott County, Iowa:

Section 37-2.E is amended by adding after the words “Ordinance 733” the words “and Ordinance 822” and by adding after the words “enacted on June 20, 2011” the words “and amended on May 16, 2022.”

Under other items of interest, County Administrator Mahesh Sharma reviewed upcoming Board discussion items regarding changes to the Boards and Commissions policy and an ordinance to change the JDC to YJRC. He also reviewed recent meetings he attended with the Chamber of Commerce and the SECC Board. He also reviewed correspondences he received regarding interactions with County Department Heads.

Supervisor Croken reviewed a merger plan of Canadian Pacific and Kansas City Southern Railroads and asked if there had been conversations with Canadian Pacific Railroad.

Supervisor Beck said he spoke with the Railroad and said he also had a discussion with County Conservation Director Roger Kean in the last few months regarding the Buffalo Shores area and talked about quiet zones in areas between towns.

Supervisor Knobbe reviewed a recent meeting he attended and spoke at with a local Boy Scout Troop in Bettendorf regarding the Constitution.

Supervisor Maxwell updated the Board on a change to the path of a CO2 pipeline planned for Iowa that will now come through Scott County and reviewed upcoming informational meetings.

Supervisor Kinzer discussed the process to submit names for consideration to Boards and Commissions and a recent Scott County REAP committee meeting he attended. He also commented on the recent announcement of 250 John Deere jobs going to Mexico from the Waterloo area.

Supervisor Croken reviewed the dollar amount in the Enhance Iowa CAT Grant award to Friends of MLK resolution and the upcoming 185th birthday of Scott County in December.

Supervisor Beck reviewed the following meetings he attended: ISAC, SECC, and Bi-State Regional Commission. He said he recently provided anniversary recognition awards to several County employees.

Moved by Croken, seconded by Knobbe at 5:42 p.m. a motion to adjourn. All Ayes.

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Ken Beck, Chair of the Board  
Scott County Board of Supervisors

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ATTEST: Kerri Tompkins  
Scott County Auditor

A video recording of the meeting is available on the Scott County website at:  
<https://www.scottcountyiowa.gov/board/board-meetings>.